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Office of Missouri Attorney General Jeremiah W. (Jay) Nixon



2000 ANNUAL REPORT



*The
People's
Lawyer*

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The People's Lawyer

The Attorney General serves as the People's Lawyer, with a mission of fighting for openness and justice, especially for those who have no voice. The year 2000 greeted us with new challenges and new opportunities to serve as the lawyer for the people, advancing the interests of the state and its citizens.



The Attorney General's **Consumer Protection Division** and **Public Safety Division** are addressing changes in technology with a newly created special unit of prosecutors, investigators and computer experts trained in fighting high tech and computer crime.

In its first year, the unit made Internet legal history by shutting down several Web sites that did not comply with Missouri laws and assisted law enforcement agencies throughout the state in solving complex Internet and computer related crimes.

As industries in our state grow, stresses on the environment test Missouri's laws. To meet these challenges, our **Environmental Protection Division** has remained aggressive and active in enforcing laws and in responding to the need for new laws and regulations to meet new demands.

Enforcement of our environmental laws prompted improvement in technology for the treatment of waste on giant corporate farms, and our fight for regulatory changes helped protect our fragile Ozark ecology from the devastating results of over-harvesting lumber to supply short-term "chip mills" passing through our state.

Attorneys in our **Governmental Affairs Division** and **Litigation Division** work to protect the interests of the people daily as they defend Missouri laws against lengthy and complicated legal challenges. For example, our attorneys challenged a nonprofit insurance company's attempt to convert its assets to private assets. After years of litigation, the historic result was the creation of the state's largest health-care

The mission of the Missouri Attorney General's Office is to protect and advance the interests of the State and its citizens through the judicial and legislative process and to serve as the People's Lawyer, fighting for openness and justice, especially for those who have no voice.



foundation to serve the health-care needs of indigent and underinsured Missourians. Without the determined efforts of these attorneys, the interests of a few would have prevailed over the interests of the people.

Protecting the rights of workers will always be an important aspect of our work as the People's Lawyer. The **Labor Division** enforces

Missouri's prevailing wage laws and protects the state fund for injured workers from false and unsubstantiated claims.

Fighting crime remains the most important job of the Attorney General. Experienced prosecutors from our office continue to be in demand throughout the state, as we assisted in 318 special prosecutions in 89 counties in 2000. In addition, attorneys in the **Criminal Division** fought to uphold 1,300 convictions appealed to the state Supreme Court, the Missouri Court of Appeals and every level of the federal court system.

These accomplishments and many others outlined in this report would not be possible without the dedication, energy and intellect of the attorneys and staff of the Missouri Attorney General's Office. We are committed to a common mission to serve as the People's Lawyer, fighting for openness and justice — especially for those without a voice.

Missouri Attorney General
Jay Nixon



Initiatives for the 21st

The challenges of the 21st century have prompted several initiatives in the Attorney General's Office:

No Call: The Office of the Attorney General is leading an effort to crack down on telemarketers with the state's first No Call list, created under a new law to prevent telemarketers from calling those who do not want to be disturbed at home. In December 2000, the Attorney General's Office began registration for the list and within three months, 300,000 Missourians signed up to be on the list. After July 1, 2001, telemarketers who call a number on the No Call list can face a fine of up to \$5,000.

Racial profiling: A new law to prevent racial profiling in Missouri went into effect in August 2000. The Attorney General's Office took the initiative to help law enforcement implement the law, with staff providing training and information to law enforcement throughout the state. The Attorney General's Office will collect all racial profiling data and present a report to the governor and the legislature. An 18-member task force of law enforcement officials and community leaders was appointed and meets with the Attorney General and his staff to assist in implementing this important new challenge.

Mega-farms: Implementation continued in 2000 on two ground-breaking projects initiated by the Attorney General's Office to lessen the environmental impact of large animal-breeding operations in Missouri. The state's largest hog-breeding operation is carrying out a \$25 million plan to treat wastewater from its facilities in northern Missouri under the supervision of an expert

panel, as a result of a 1999 agreement with the Attorney General's Office. Also, Missouri's largest concentrated animal feeding operations are implementing odor controls that were enacted by the Missouri Air Conservation Commission in 1999 at the urging of the Attorney General.

Contract farming: To help protect Missouri farmers who are contracting with larger farming operations, the Attorney General teamed with the Missouri Farm Bureau to provide a contract checklist. The checklist helps farmers make informed contracting decisions.

High tech and computer crimes: Advances in technology bring many new opportunities as well as new life to old scams. With instantaneous communications come new avenues for fraud, privacy invasion and safety challenges. The Attorney General's new High Tech and Computer Crime unit brings together the knowledge of experienced prosecutors, forensic investigators and computer experts to assist local law enforcement in the fight against crime over the Internet.

Victims' rights: The Attorney General's Office continues its fight to provide support to crime victims by providing victims' rights advocates. The advocates stand ready to answer victims' questions on the legal process and the status of cases.

INSIDE



On the cover:

The Missouri Supreme Court Building, built in 1905, houses the office of the Missouri Attorney General. The Latin phrase on the front of the building translates as "To declare the law, not to make it."



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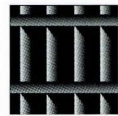
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CREDITS

Jack Cardetti coordinated and compiled information for the 2000 Annual Report.

Peggy Davis designed the publication.

ABOUT THE DIVISION

The Consumer Protection Division represents the state in consumer fraud cases. Among the cases the division pursues:

- Civil lawsuits and criminal prosecution against businesses that defraud consumers through the advertising and sale of products or services.
- Securities fraud.
- Antitrust matters.



Internet users protected from illegal acts, porn sites

Internet beer seller banned

A state appeals court affirmed a lower court's decision that an Internet beer distributor violated state consumer and liquor control laws when it sold and delivered beer to a minor.

The court also looked at the point of sale issue and rejected arguments by the North Carolina-based Beer Nuts that Missouri courts had no jurisdiction over its sales.

Drivelegal.com isn't

An injunction was obtained against the operators of drivelegal.com, which sells "international driver's licenses" as a way to get around suspension or revocation of legitimate licenses. The site now states that its services are not available to Missourians.

Web site violated privacy policy

Consumer attorneys sued More.com for giving personal information about consumers to third parties after telling consumers it would not do so. The case is pending.

Child porn site terminated

A child pornography Web site was shut down after its operators falsely claimed that advertising and selling the images did not violate federal law.

Internet threats prosecuted

A Smithville man who sent child pornography and made threats of violence to Massachusetts middle school students was sentenced to 15 years in prison.

Retailers sued for tobacco sales to minors

Discount Smoke Shop, Walgreen and 7-Eleven were sued to halt the illegal sale of tobacco products to minors.

Compliance checks conducted by the state showed these corporations' rate of sale to minors was above the state average. The cases are pending.

Recovering money

The Consumer Protection Division recovered \$3,934,445 in restitution to consumers from companies and individuals accused of defrauding Missourians in 2000.

The division also obtained 13 criminal convictions, 26 permanent injunctions, and 10 voluntary agreements prohibiting further violations of Missouri's consumer protection laws.



DIVISION MISSION

To promote a free, fair and open marketplace by aggressive enforcement of Missouri's consumer protection laws and by advocating for consumers and educating the public.



Nixon, right, signs up Bennie Daugherty, AARP state president, during a Dec. 11 stop in Kansas City that kicked off the No Call registration.

Thousands of Missourians don't want telemarketers calling

In the first three months of registration, the Attorney General's Office placed more than 300,000 Missouri residential phone lines on the No Call list.

The list will prohibit telemarketers from contacting those consumers.

If telemarketers covered under the law contact a Missourian who is on the list after the law takes effect on July 1, 2001, they face a \$5,000 fine.

Division exposes telemarketing, fax scams

Florida man to prison for defrauding seniors

Daryl Tellechea received a five-year prison sentence for defrauding an elderly Columbia man. He pressured the victim into sending a \$1,887 "entrance fee" to collect a \$43,000 prize.

St. Louis con sentenced

Eddie Littleton of St. Louis was sentenced to eight years in prison

for operating a telemarketing scam. He used fraudulently obtained cell phones to call victims and convince them to send money to claim a nonexistent prize.

Nixon goes after fax blaster

Fax.com Inc., a California company, was sued for faxing unsolicited ads to Missouri consumers. The case is pending.

Attorneys prosecute securities fraud cases

Joplin man pays \$72,000

A Joplin man pleaded guilty to five counts of securities fraud and was ordered to pay \$72,000 in restitution.

John Wedeking took money from investors, falsely claiming he had a patent for a device that could be used to track stolen electronics such as cell phones. He instead spent the money on gambling, a car, a wedding dress and dental work for his former fiancée.

Ponzi schemer sentenced to 8 years

A Greene County man was sentenced to eight years in prison for operating an investment scheme that paid early investors with money paid by later investors, a scam known as a Ponzi scheme.

Dale McCurry solicited \$6 million in investments from more than 200 investors by telling them he operated an environmental business that purchased "waste-eating micro-bacterial bugs."



Sweepstakes companies must refund, reform

Sweepstakes giant pays \$30M

Missouri led a national settlement with U.S. Purchasing Exchange that will pay more than \$30 million in restitution to consumers nationwide. The company must tell consumers they have not yet won, the odds of winning, and that a purchase is not required to win.

Time Inc. changes sweepstakes, refunds consumers

Time agreed to stop using misleading language that implies a consumer has already won and to clearly state that a purchase is not needed to win. It also will pay restitution to consumers who purchased at least \$500 in products from the company from 1997 to 1999.

Company pays \$1.2M

More than \$1.2 million was recovered from Direct American Marketers Inc. for Missourians ripped off in a scam between 1995 and 1997. About 10,000 consumers who each lost more than \$100 were mailed claim forms and letters about the settlement.

Antitrust cases ensure fair competition

Toy makers pay for price-fixing

Toys R Us and three other major toy makers agreed to settle allegations that they conspired to withhold some popular toys from discount and warehouse chains in a price-fixing scheme. The toy makers agreed to give over 20,000 books to 46 Missouri school districts and libraries and sent thousands of new toys for the Toys for Tots program in Missouri.

Nine West pays \$603,000

Missouri received \$603,000 to use for women's health, educational, vocational and safety programs in a settlement with Nine West. The shoe maker made illegal agreements with retailers to fix the price of women's shoes.

CD distributors, retailers sued

An antitrust lawsuit was brought against several of the nation's largest music distributors and retailers. The companies allegedly conspired to keep the price of compact discs artificially high. The case is pending.

Contact lens maker refunds consumers

Missouri consumers who paid too much for CIBA Vision and Bausch & Lomb replacement contact lenses because of an alleged price-fixing scheme will be eligible for a cash rebate from the company as a result of an antitrust lawsuit.

Consumer Complaint Unit recovers money outside courtroom

The Consumer Complaint Unit is the clearinghouse for all consumer complaints in Missouri. Besides the 15,000 to 20,000 written complaints the unit receives annually, the Consumer Protection Hotline logs about 60,000 complaints and inquiries each year.

Of the \$3,934,445 in restitution recovered by the Consumer Protection Division, \$2,573,228 was recovered through mediation by the Complaint Unit.

To file a consumer complaint,
call toll-free or visit the Attorney General's Web site

Call 800-392-8222

or

Click www.moago.org



Nixon issues cease and desist order shutting down child porn web site

Attorney General Jay Nixon today issued a cease and desist order shutting down access to a Web site that features child pornography. The order directs a San Antonio, Texas business that leases the Web space to the operators of the Web site, www.Little-Virgins.com, to remove the site from the Internet.

did not violate federal law, Nixon said. Under state law, the cease and desist order remains in effect for 10 days unless extended by a court. Nixon said an investigation by his office is continuing.

Nixon said current Missouri child pornography laws require the

Nixon Sues To Stop Pyramid Scheme

CLAYTON — Missouri Attorney General Jay Nixon is crashing the Original Dinner Party, an operation he says is an illegal pyramid scheme. Nixon filed suit in St. Louis County against Barbara Bright and Cindy Mechura, the two St. Louis County women who run the Original Dinner Party. Bright also uses the name Barbara Ann Horlick.

The suit is the latest in Nixon's effort to sour such pyramid schemes and a primary injunction against a similar operation in Kansas City by another group of women. Bright and Mechura have held as many as 25 presentations to attract participants, Nixon said. Investigators found that the women went as far as Farmington to recruit participants. Neither Bright nor Mechura could be reached for comment. It is too early to determine how many people the women induced to participate. However, in the Kansas City case, investigators estimate that



State Attorney General Jay Nixon, left, helped Cape Girardeau resident Sam Johnson add his phone number online to a list of numbers that will be added to the Missouri "No Call" list. Nixon was in Cape Girardeau Monday to promote his "No Call" list for people who don't want to be called by telemarketers.

Law to keep telemarketers at bay

Law prohibits telemarketers from calling people on "No Call" list.

By Mark Bliss
Southeast Missouri
Sam Johnson hopes Missouri's new "No Call" law will help him keep telemarketers off his list.

their home phone numbers on the list, which the attorney general's office will manage and enforce. Enforcement of the new law doesn't take effect until July 1, but Nixon's office opened registration a week ago. In that week, more than 120,000 Missourians signed up. By the end of this week, Nixon expects to have more than 200,000 names on the list.

Nixon said his office will send out orange cards with pre-paid postage so Missourians can report violators. There are some loopholes in the law, but Nixon vows to work to eliminate them in the next legislative session. The law allows some telemarketers to call consumers even if they are on the No Call list. Those telemarketers include phone companies. The Legislature carved into the phone companies' Nixon said.

Want on the list?
■ WHO: Missourians who want to place their home telephone number or numbers on the "No Call" list.
■ HOW: Contact the attorney general's office to register. Call toll-free 866-NO CALL or click on the Web at www.moag.org.

Nixon targets Internet site selling driver's licenses

JEFFERSON CITY (AP) — Attorney General Jay Nixon on Wednesday filed a lawsuit alleging that an Internet site is

violating Missouri's consumer protection laws and encourages drivers to operate a vehicle illegally.

protection laws and encourages drivers to operate a vehicle illegally.

Attorney general accuses tobacco companies of targeting blacks

ST. LOUIS (AP) — Black teenagers are the fastest growing population of cigarette addicts, according to Missouri Attorney General Jay Nixon. And he said that's no coincidence.

Nixon told members of an anti-tobacco group on Wednesday that the rising number of young blacks hooked on cigarettes is the result of advertising targeted to the black community.

"The truth about Big Tobacco is not pretty," Nixon said. "It is especially troubling for the African-American community."

Nixon spoke at the University of Missouri-St. Louis to members of

direct its advertising to any particular group.

"Our advertising is aimed at adults who have made the choice to smoke, and that is made up of a diverse base of consumers," spokesman Brendan McCormick said. "Our advertising is broad-based in appeal."

Camel cigarette mascot Joe Camel's "hip-hop" character in introducing its new menthol cigarettes is an example of the "predatory marketing," Nixon said. In some advertisements, Joe Camel is seen in a leather jacket and has urban appeal, he said.

"During that particular campaign, the number of young black smokers rose by 92 percent," Nixon said.

In 1998, Missouri was one of sev-



Jay Nixon
City was within 2,000 feet of school or daycare center.

Nixon Files Lawsuits Against Travel Clubs

SPRINGFIELD, Mo. (AP) — Attorney General Jay Nixon has filed lawsuits against two travel club distributors in southwest Missouri as part of a nationwide crackdown on travel scams.

The lawsuits filed on Tuesday, Aug. 22, allege that the companies have been misrepresenting to consumers the savings they could get as members of Travel Service Network, a discount buyers club in Batavia, Ill.

Nixon said that Travel-Source International of Branson and Signature International of Springfield promised special rates on travel and accommodations to those who paid as much as

\$5,000 for a membership to Travel Service Network.

Those who paid the membership fee often found that they could get lower rates on travel through other means.

Nixon is seeking permanent injunctions against both Missouri distributors, as well as restitution.

Nixon's lawsuits, filed in Taney County and Greene County circuit courts, were part of a nationwide effort by the Federal Trade Commission. Attorneys general in 16 other states also filed lawsuits in the FTC's "Operation Travel Scam."

ABOUT THE DIVISION

The Criminal Division represents the state in every felony case appealed to the Supreme Court of Missouri and Missouri Court of Appeals, and also defends the state in all habeas corpus actions filed by prison inmates in state and federal court.

Murder convictions, sentences upheld

Attorneys in the Criminal Division successfully fought to uphold the convictions of Missouri inmates under sentences of death or life imprisonment, including:

- **Earl Ringo:** Received two sentences of death for murdering two people at a Columbia restaurant in 1998. Convictions and sentences affirmed by the Missouri Supreme Court.
- **Alis Ben Johns:** Sentenced to death for the murder of a Pulaski County man. Johns also was convicted of murdering two others in Camden and Newton counties during a 1996 crime spree. Conviction and sentence affirmed by the Missouri Supreme Court.
- **Martin Link:** Kidnapped, raped and strangled an 11-year-old girl in St. Louis in 1991. Conviction and death sentence upheld by the Missouri Supreme Court.



- **Joseph Ferguson:** Abducted, raped and strangled a 17-year-old gas station attendant in St. Charles in 1989. Ferguson was retried and again sentenced to death after his first conviction and sentence were reversed. His second conviction and sentence were affirmed by the Missouri Supreme Court.
- **Ernest Johnson:** Sentenced to death after killing three employees of a Columbia convenience store in 1994 by beating them to death with a hammer. He was resentenced to death by a second jury after his first sentence was reversed. The second death sentence was upheld by the Missouri Supreme Court.

Five murderers executed in 2000

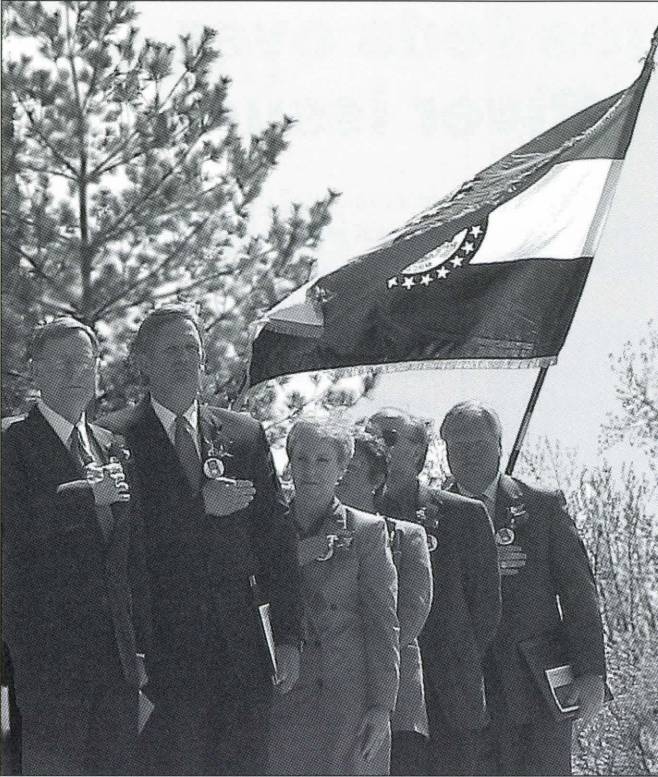
The state of Missouri executed five convicted murderers in 2000:

- **James Hampton:** Abducted a Warrenton woman from her home in 1992 and then killed her.
- **Bert Hunter:** With an accomplice, forced his way into a Jefferson City home in 1988 and, during the robbery, murdered the mother and son who lived there.
- **Gary Roll:** Murdered three members of a Cape Girardeau family during a 1992 home invasion and robbery.
- **George Harris:** Shot to death a Kansas City man in 1989. He was arrested after committing an armed robbery in Columbia a few days later.
- **James Chambers:** Shot a man outside an Arnold bar, then pistol-whipped the man as he lay dying.



DIVISION MISSION

To successfully defend the punishment of those lawfully convicted of crimes, to safeguard and refine the criminal law of this state in the interests of justice, and to educate, coordinate and communicate with prosecutors, judges, law enforcement agencies and victims.



SUPPORTING CRIME VICTIMS

Attorney General Nixon, second from left, joined Missouri officials speaking in support of crime victims during National Crime Victims' Rights Week. With him at the Capitol are from left: Gov. Mel Carnahan; Corrections Director Dora Schriro; Linda Dudgeon, director of Missouri Coalition Against Sexual Assault; Ed Stout, director of Aid for Victims of Crime in St. Louis; and Gary Kempker, director of the Public Safety Department.

Criminal attorneys uphold felony convictions

The Criminal Division represents the state in all felony appeals in Missouri and defends all habeas corpus actions filed by prison inmates. During 2000, the unit handled 1,300 of these cases. They included:

Conviction upheld of man who injected son with HIV

The state appeals court in March affirmed the life imprisonment sentence of Brian Stewart. The St. Charles man was convicted of first-degree assault for deliberately infecting his son with HIV to avoid paying child support.

Statutory sodomy conviction of officer upheld

The state appeals court upheld the statutory sodomy conviction of Eureka police officer Kent Baker. He sodomized a 16-year-old Explorer Scout participating in a police ride-along program.

Ben Johns' bid for new trial rejected

The Missouri Supreme Court on Tuesday rejected a request for a new trial for a death row inmate who led authorities on a six-month manhunt marked by two killings.

The state's highest court ruled 5-2 against Alis Ben Johns' request to throw out his murder conviction and order a new trial.

Johns, 40, got the death sentence for the October 1996 shooting death of a Pulaski County man. After his conviction and sentence, he also pleaded guilty to murdering a Newton County woman while on the run in 1997.

Johns argued that the trial court should have allowed evidence that the slain man, Tommy Stewart of Dixon, was known to men involved in excessive not dispropor

ate," said Chief Justice Ray P. 0-page decision ing opinion. Johns deser

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BY WILLIAM C. LHOTKA
Of the Post-Dispatch

Judges deny retrial of man who infected son with HIV

INMATE Bert Hunter is scheduled to die for his participation in two 1988 murders.

Convicted killer to be executed

what he perceived as unfair treatment at the Potosi Correctional Center, Hunter sent an angry letter to the Missouri Supreme Court. In the letter, he all but dared the justices to set an execution date.

"I called them witch hunters and all sorts of things," Hunter told The Associated Press. "They set a date seven days later."

Hunter was convicted in the Dec. 15, 1988, murders of Mildred Hodges, 75, and her son, Richard, 49, during a robbery at their home in Jefferson

job as a computer programmer with the Missouri Department of Revenue before taking a job as a software engineer for a firm in Florida.

Cole County prosecutor Richard Callahan recalled Hunter as an intelligent man, but one with a lust for cocaine. His drug habit cost Hunter his job in Florida, Callahan said.

In need of money, Hunter and Ervin planned to rob the Hodges home, Callahan said. In his confession, Hunter said the Hodges were killed because the assailants feared they had been recognized.

Both victims were found with plastic bags over their heads. A medical examiner said they died of suffocation.

CHAPTER 3 ENVIRONMENTAL PROTECTION DIVISION

ABOUT THE DIVISION

The Environmental Protection Division aggressively protects Missouri's natural resources. Attorneys take legal action to stop pollution of the state's air, water and soil and penalize polluters through fines, penalties and in the most serious cases, incarceration.

State sues feds over Missouri River issues

The state filed lawsuits against the federal Fish & Wildlife Service over the management of the Missouri River.

In one suit, the state said the federal agency failed to provide information under the Freedom of Information Act about its

recommended changes to the Master Manual used to control river flows.

It also sued the service for failing to follow its own rules on listing critical habitat for two endangered species, the pallid sturgeon and the interior least tern.

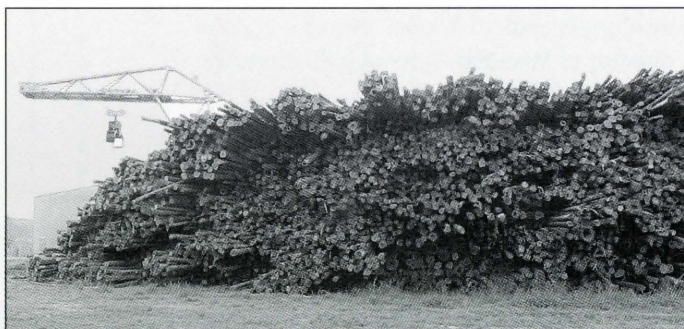
Chip mills cut down to size

Attorney General Nixon successfully urged the Missouri Clean Water Commission to place a two-year moratorium on all new chip mill permits.

During that time, the commission will work with the Department of Conservation, environmental groups

and the chip mill industry to devise regulations to protect state streams.

In a related legal decision in November, a state appeals court affirmed the primary authority of the Clean Water Commission to regulate chip mills and the appeals of their permits.



Environmental groups and the Attorney General's Office are concerned that high-capacity chip mills, such as this one in Mill Springs, will chip Missouri trees faster than they can be grown.

Record caseload

For the second straight year, the division opened and resolved a record number of cases in 2000. Figures for the last three years:

Year	Cases opened	Cases resolved
2000	415	642
1999	315	372
1998	163	291



**DIVISION
MISSION**

To lead all public agencies and concerned citizens in maximizing the beneficial use of Missouri's natural resources by enforcing environmental laws and advocating sound environmental policies.

Stream Team regroups

Adopts section of Maries River

A Stream Team of Environmental Protection Division staff has worked to clean up and monitor a section of the Maries River.

At the suggestion of Assistant Attorney General Bill Bryan, a volunteer team was formed and worked in June as part of National Stream Cleanup Week.

"We fight to protect the environment every day, but there's no substitute for hands-on experience," Bryan said.

"Cases can drag on for months with little sense of progress, but it is immediately gratifying to personally clean up a stream."



TOP: Stream Team volunteers

display an afternoon's worth of debris from the Maries River. Assistant attorneys general are from front left, clockwise: Suzanne Flanegin, Barry Gilbert, Tim Duggan, Bob Cook, Joe Bindbeutel, Bill Bryan, intern Adam Brown, Cheryl Nield and Deborah Neff.



LEFT: Environmental Protection Division Chief Counsel Bindbeutel and Neff haul in their finds.

Friends of the Earth: Let citizens be heard

Nixon led a 17-state effort in filing an amicus brief with the U.S. Supreme Court to support the rights of citizens to sue companies under the federal Water Pollution Control Act. The court ruled in favor of a citizen's right to sue.



Division attorneys took action to protect the environment from all-too-frequent hog waste spills such as this one in Audrain County. The pollutant-laden waste kills fish and jeopardizes drinking water.

Mega-farms must obey the law

Environmental attorneys enforced a state law on corporate farming by stopping the purchase of Murphy Family Farms facilities in Vernon and Barton counties by Smithfield Foods, the nation's largest hog producer. Smithfield divested the facilities to comply with the law.

In north Missouri, implementation of a \$25 million waste treatment plant at Premium Standard Farms continues under the oversight of an independent panel of experts.

The panel was appointed in a settlement between Premium and Nixon, resolving allegations of water pollution from manure spills and other violations at Premium facilities.

Irreplaceable land, water resources protected

The Environmental Protection Division won or favorably settled more than 95 percent of its cases in 2000. It recovered more than \$1.1 million in penalties, damages and investigative costs. Cases included:

Insecticide leak leads to \$47,000 verdict

A Cape Girardeau pest control business that allowed a toxic insecticide to leak to a storm water drain near the Mississippi River in 1996 was ordered to pay more than \$47,000 in penalties and costs. Quick action by a DNR emergency response team kept the insecticide from reaching the river.

Dumped hot dog casings lead to lawsuit

The discovery of several thousand tons of used hot dog casings in a ravine near Columbia led environmental attorneys to sue Kraft Foods and Oscar Mayer Foods. Contaminants from the casings were washing into nearby streams. The case is pending.

KC business pays \$225,000 for violations

Solvent Recovery Corp. paid a \$225,000 civil penalty to resolve allegations it violated state hazardous waste laws at its commercial hazardous waste facility in Kansas City.

KC tire dumps cleaned up

An estimated 57,000 waste tires illegally stored on three sites near downtown Kansas City were removed under a court order obtained by environmental attorneys. The dumps posed a fire threat to nearby buildings and property.

Jefferson County subdivision cleaned up

Environmental attorneys obtained a court order against a bankrupt developer, setting aside \$150,000 to correct numerous problems at a Jefferson County subdivision. The subdivision had deficiencies in the drinking water and sewage collection and treatment systems as well as a dam with an inadequate spillway.

Down on the megafarm...

Nixon calls for waste treatment requirements

KANSAS CITY—Attorney General Jay Nixon said recently Missouri's corporate hog farms, which generate more waste per day than the city of Kansas City, should be required to implement waste treatment if the rights of Missourians.

by these corporate farms, and we must use all the power under our laws to ensure the rights of Missouri citizens."

Nixon has sued the nation's third largest hog producer, Premium Standard Farms, for violation of state water pollution laws on their farms in Mercer, Putnam and Sullivan counties. In 1997 he called for odor regulations for Missouri's largest agricultural operations; those odor standards have now been adopted by the state Air Conservation Commission.

Nixon noted that traditional Missouri farmers have respect for the land and for their neighbors and do not need regulation by the state.

"Missouri family farms have a system of accountability in place," Nixon said. "It's called being a good neighbor. These new neighbors, the large pork factories, do not have a good neighbor policy. Their policy is the bottom line. It is a policy that



MFA CONTRACTED HOGS at Meyer Farm in Owensville spend a final day in their pens before shipment Friday for processing. Henry Meyer has been raising hogs for MFA for eight months.

Nixon announces draft model legislation to protect farmers

Attorney General Jay Nixon announced last week that he and colleagues from 15 states have drafted model legislation designed to protect contract producers and growers, the growing number of farmers and ranchers who are producing livestock or grain on contract with large contractor companies.

"In production contracting, we worry about the great disparity in bargaining power and marketing information between the contractor companies and the individual producer. For example, large companies often offer contracts to producers on a take-it-or-leave-it basis. Risks to producers are buried in pages of legalese, and producers easily can be stuck with unfair contract terms. On top of that, they may be barred from disclosing any of the terms to others," the Attorneys General said.

They said contracting often results in unfair economic risk to farmers and ranchers, especially if required to make large capital investments in equipment. They added that the fact that most contracting is done in secrecy "severely limits the ability to compare contracts and negotiate the best fair deal."

Key provisions of the act would, if approved:

Nixon sues over river management

By PAUL SLOCA
Associated Press

JEFFERSON CITY, Mo. — Attorney General Jay Nixon has filed a lawsuit against the U.S. Fish and Wildlife Service over alleged mismanagement of the Missouri River.

The lawsuit, filed Tuesday in U.S. District Court, alleges that the service has hurt the state's interests by failing to designate critical habitat for the endangered pallid sturgeon and interior least tern.

Nixon asked the federal court to order the Fish and Wildlife Service to initiate and complete the critical designation process and make it public.

"If we are going to work to increase the chances for these animals, the federal government must follow the law and designate critical habitat areas," Nixon said.

Gov. Mel Carnahan last week sought help from President Bill Clinton in the dispute.

letter to direct the service to re-evaluate plans aimed at helping endangered species.

The Fish and Wildlife Service is recommending that the U.S. Army Corps of Engineers seek to increase the flow of water out of dam Missouri River in the spring decrease it in the summer.

Jerry Nachtigal, a spokesman for the governor, said Tuesday that Nixon supports Nixon's plan.

"We want a fair and system of managing Missouri River, and we do the Fish and Wildlife at all," Nachtigal said.

Nachtigal believes it poses major Missouri interests, businesses and agriculture also puts Missouri farms at risk

JEFFERSON CITY, Mo. (AP) — In another round of the dispute over the genetically altered StarLink corn, Missouri Attorney General Jay Nixon wants its manufacturer to post a \$25 million bond.

"Aventis has poorly handled the situation of StarLink co-mingling with other corn, but Missouri farmers and small businesses should not have to suffer as a result," Nixon said.

Aventis has 15 days to respond to Nixon's demands, and the attorney general said he expected the matter to result in litigation.

"We have talked with them on a couple of occasions and have been concerned that their platitudes have been general and not specific," Nixon said. "We want to let them know they must make sure our citizens are not harmed by the co-mingling of StarLink corn with other corn."

Nixon pushes chip mill moratorium

Attorney general wants tougher pollution laws before approving new chip businesses.

The Associated Press

JEFFERSON CITY — The state should ban any new chip mills for two years while an advisory committee studies new regulations, Attorney General Jay Nixon says.

Nixon asked the state Clean Water Commission on Wednesday to issue the moratorium.

"We shouldn't take a risk with the environment," Nixon said. "There should be no new permits until tougher rules can be established."

Environmentalists oppose chip mills because they can have the dual effects of clear-cutting large areas of forest and polluting streams.

The chip mills, which first began operating in Missouri in 1997, ship them elsewhere to be used to make paper and fiberboard.

Critics say forests are clear-cut because of the high demand for wood.

They also contend chip mills use younger and lower-quality trees that normally are not harvested.

"We're very supportive of this," said Ken Midkiff, president of the Sierra Club's Ozark chapter. "It gives the state time to consider the problems chip mills could bring and to impose regulations that could help protect Missouri water and land."

Two mills currently operate in the Ozarks — Canal Wood in Scott City and Willamette Industries in Mill Springs.

Gov. Mel Carnahan issued an executive order in 1998 that called for new regulations on chip mills and formed an advisory committee to study them.



"We shouldn't take a risk with the environment. There should be no new permits (for chip mills in Missouri) until tougher rules can be established."

— Jay Nixon
Missouri attorney general

That prompted a lawsuit from Willamette Industries against the state and the Clean Water Commission.

Willamette argues that the state cannot regulate remote timber harvests with a permit that is supposed to govern runoff from the mill site itself.

The regulations have been suspended while Willamette negotiates with Nixon.

man Thomas Herrmann said the idea for the moratorium came out of the Willamette negotiations.

"It's an outgrowth of the settlement discussions that have been ongoing," Herrmann said.

A public hearing on the proposed moratorium was scheduled April 19.

The public then would have 30 days to submit comments before the Clean Water Commission.

4 GOVERNMENTAL AFFAIRS DIVISION

ABOUT THE DIVISION

The Governmental Affairs Division protects the safety and well-being of citizens by:

- Ensuring that professionals such as doctors and real estate agents adhere to state laws and disciplinary rules.
- Representing state officers, departments and agencies in legal matters.
- Enforcing compliance with state laws by trusts, foundations and nonprofit corporations.
- Recouping money owed to the state, state officers or state agencies.
- Helping mentally ill and physically challenged Missourians obtain guardians to help them get care.
- Removing care givers who abuse or neglect vulnerable citizens.

Abusive care givers removed

Governmental attorneys representing the Department of Mental Health removed 32 care givers who abused or neglected Missouri's most vulnerable citizens.

Medical, pharmacy licenses revoked for illegal actions

- **An Arizona doctor** who practiced in Kansas City had his license revoked after he had sex with two patients for whom he provided psychological counseling and controlled substances. He also had sex with a nurse who was his patient.
- **A St. Louis doctor** lost his medical license after he engaged in sexually inappropriate behavior with multiple patients. His misconduct included fondling patients and exposing himself.
- **A Poplar Bluff man** pleaded guilty to statutory sodomy for repeatedly sexually assaulting a female and male step-child, both 14, during a one-year period. His dental and medical licenses were revoked.
- **A St. Louis man** was convicted of six counts of forcible sodomy and forcible rape involving his clients. His licenses as a counselor and a social worker were revoked.
- **A St. Joseph nurse** had his license revoked after pleading guilty to first-degree statutory sodomy, involving his 5-year-old step-daughter. His wife found a videotape of the incident. It later was discovered he had inappropriately touched the child at other times.
- **A Greene County pharmacist** had his license revoked after he set his mobile home on fire while cooking ephedrine products to make meth. Police obtained a large amount of ephedrine from his workplace.

Teaching certificates revoked

During 2000, 37 cases were filed to discipline certification of teachers who committed serious crimes. Two teaching certificates were suspended and 29 were revoked including:

- **A Kansas City man** for possession of heroin with intent to distribute.
- **A St. Louis man** for second-degree controlled substance trafficking.
- **A Columbia man** for possession of a controlled substance and second-degree controlled substance trafficking.
- **A Camdenton woman** for felony sale of a controlled substance.
- **A man** with a Missouri teaching certificate, now imprisoned in Kansas, for sexual battery and aggravated indecent liberties with a child.

Professional licenses revoked

Professional licenses revoked or surrendered over four years:

2000	1999	1998	1997
126	65	87	58



DIVISION MISSION

To protect and advance the interests of the state through representation, advice and litigation support provided to state agencies and officials; and to preserve the assets of the state and of charitable trusts.

Governmental attorneys represent officials, agencies, boards

Division attorneys represent or provide legal advice to the secretary of state, treasurer and auditor. Attorneys also serve as general counsel or represent these departments and professional licensing boards:

DEPARTMENTS

- Agriculture
- Economic Development
- Elementary and Secondary Education
- Health
- Insurance
- Mental Health
- Office of Administration
- Social Services

BOARDS

- Accountancy
- Architects, Professional Engineers and Land Surveyors
- Office of Athletics
- Barber Examiners
- Licensed Clinical Social Workers
- Cosmetology
- Commission for the Deaf
- Dental

- Dieticians
- Embalmers and Funeral Directors
- Endowed Care Cemeteries
- Geologists
- Registration for the Healing Arts
- Healing Arts Advisory Committee
- Hearing Instrument Specialists
- Interior Design Council
- Landscape Architectural Council
- Marital and Family Therapists
- Massage Therapists
- Nursing
- Nursing Home Administrators
- Occupational Therapy
- Optometry
- Pharmacy
- Podiatry
- Committee of Professional Counselors
- Division of Professional Registration

- Psychology
- Real Estate Appraisers
- Real Estate Commission
- Respiratory Care Practitioners
- Speech Interpreters Committee
- Teacher Certification
- Veterinary Medical Board

AGENCIES

- Banking Board
- Credit Union Commission
- Division of Vocational Rehabilitation
- Ethics Commission
- Health Facility Review Committee
- Highway Reciprocity Commission
- Lottery Commission
- Missouri State Fair
- Personnel Advisory Board
- State Milk Board
- Tort Victims Compensation Fund

Unlicensed surveyor sued

A court issued a permanent injunction against a Franklin County man from practicing land surveying, resulting in restitution of more than \$36,000. He practiced substandard land surveying in the Franklin County area without a license and bought a land survey seal with the name and license number of a licensed surveyor to make it appear he was licensed.

Killer won't go free

Frederick Revels murdered three of his family members while under the influence of illegal drugs, but was found not guilty by reason of insanity and

was committed to the Department of Mental Health. He asked a court to release him permanently.

Governmental attorneys argued for his continued confinement, and the Missouri Supreme Court agreed.

Kansas City police board sued over \$3.4M fund

Governmental attorneys sued to require the police board to distribute \$3.4 million in money and property held by the KC Police Department through seizures and forfeitures to the Department of Elementary and Secondary Education, state treasurer, and Jackson, Clay, Platte and Cass counties.

Financial unit secures \$2.4M owed to state

The Financial Services Unit recovered \$1.35 million owed to Missouri and prevented more than \$1 million from being discharged in bankruptcy.

The unit collects from defaults on student and economic development loans, delinquent audit and lottery commission fees, state reimbursement for day-care facilities, and penalties owed to the Ethics Commission.

In 2000, the unit opened 342 cases and closed 265, including:

- **A St. Louis case** where governmental attorneys opposed the bankruptcy discharge of a fraudulent home repairman. The court ruled he was financially responsible for restitution and civil penalties under terms of his criminal probation.

ABOUT THE DIVISION

Labor Division attorneys protect state workers by:

- Enforcing state prevailing wage laws that ensure workers receive prevailing wages.
- Representing workers before the Missouri Human Rights Commission when they have discrimination claims.
- Defending the state Second Injury Fund.

Nixon stands up for Missouri's workers

The Attorney General's Labor Division enforces Missouri's Prevailing Wage Laws, ensuring that workers are paid equitable wages for public works projects. Labor attorneys collected \$34,582 in penalties during 2000 and litigated other court cases, including:

Prison contractors sued

Labor attorneys sued the contractor and three subcontractors of the Licking prison construction project for allegedly failing to pay 146 workers prevailing wages. The suit, which is still pending, alleges that the workers are owed \$458,778 in back wages.

Labor wages protected on appeal

Labor attorneys won a case for the Division of Labor Standards when the appeals court found the prevailing wage law applies to projects if a

public body is the beneficiary of a public works project, regardless of whether a contract exists. This was one of 217 cases on appeal the Labor Division handled in 2000.

Supreme Court hears prevailing wage case

The Missouri Supreme Court heard a case where a private organization paid for a reptile house to be built at Springfield's city-owned zoo. The court will decide if the public is the real and ultimate beneficiary of the project and therefore the project is subject to the prevailing wage law.



**DIVISION
MISSION**

To protect the interests of Missouri workers by paying the appropriate amount from the Second Injury Fund and Workers' Compensation Fund for state employees, and to handle those cases in a timely and fair manner.

Division defends Second Injury Fund against false claims

Labor attorneys saved state taxpayers from paying for unsubstantiated and false injury claims against the Second Injury Fund. The fund pays supplementary benefits to workers with legitimate injuries. The division resolved 10,063 Second Injury Fund claims in 2000. Among the cases:

Injury not work-related

A worker who allegedly sustained a work-related injury was found ineligible for the Second Injury Fund. A pre-existing injury occurred when the worker slipped and fell on ice at home. The judge found that the injuries were due to the fall and not from the alleged work-related injury.

Disability caused by a single injury

A worker was found to have a permanent total disability caused solely from his latest injury alone. The court found that the Second Injury Fund was not liable, since it didn't matter how severe prior disabilities were, if the last injury alone rendered him unable to work.

Psychiatric problems alone caused disability

An employee who alleged permanent total disability from a combination of pre-existing psychiatric problems and a work injury could not recover money from the Second Injury Fund, because her psychiatric problems alone kept her from working.

Relatives exempt from workers' compensation laws

A court found that the Second Injury Fund had no liability in an uninsured case where the employee and employer were brothers.

Workers' compensation statutes specifically exempt cases where the employee and employer are related within the third degree.

ABOUT THE DIVISION

The Litigation Division provides legal defense to state agencies and employees and handles some of the most complex issues facing the state including:

- Defending constitutional challenges to state laws and ballot issues.
- Suing to recover money fraudulently taken from the state.
- Defending lawsuits filed by state prisoners.
- Defending the state in employment and tort cases.

Legal challenge creates state's largest health-care foundation

A hard-fought legal battle against Blue Cross and Blue Shield of Missouri ended in 2000 with the creation of the Missouri Foundation for Health, the state's largest nonprofit health-care foundation serving 85 counties.

In November, Attorney General Nixon announced a 15-member board of directors composed of health-care professionals and community leaders throughout Missouri. The board members were chosen from nominees selected by community leaders representing more than 90 public interest groups.

The Missouri Foundation for Health, the result of a challenge by the state to a 1994 reorganization of Blue Cross which moved nonprofit assets into a for-profit insurance company, will be funded by \$12.78 million in cash from Blue Cross and 15 million shares of Right Choice stock held by Blue Cross.



Appeals court upholds challenge to Blue Cross Kansas City

The Attorney General's efforts to keep nonprofit insurance assets public were affirmed again in June 2000, when a court agreed the assets of Blue Cross and Blue Shield of Kansas City, a nonprofit corporation, were held for public benefit.

Blue Cross and Blue Shield of Kansas City attempted to become a mutual benefit corporation with no continuing obligation to have its assets devoted to public service.

Tobacco action continues

Supreme Court approves tobacco settlement

After two years of litigation, the Missouri Supreme Court approved the state's settlement with the tobacco companies. Litigation attorneys fought off four parties attempting to intervene at every state court level and delaying Missouri from benefiting from the estimated \$6.7 billion settlement.

Tobacco fight continues against smaller companies

Litigation attorneys sued four tobacco companies for failing to pay more than \$230,000 into escrow funds mandated by a 1999 law. The funds ensure the state will be able to recover any damages from those companies that weren't part of the national settlement, if the companies are found to be responsible for health damages that cost Missouri.



DIVISION MISSION

To provide quality representation to the state, its agencies and employees; to protect and enhance the ability of public servants to do their jobs while advancing justice for the citizens of the state and the state's sovereign interests; and to provide expertise and resources to other divisions in the AG's Office.

Division represents state's legal interests

Litigation attorneys represented the legal interests of the state in 633 cases assigned to them in 2000. The more notable cases include:

● **Hancock cases:** The goal of litigation on all Hancock cases is to determine the correct calculations of total state revenue. In *Flotron v. Carnahan*, the state argued that the 1981 base year for calculating total state revenue did not include conservation tax money. In *Missouri Merchants and Manufacturers Association v. Missouri*, the state argued there is no need to include money from tax credits when calculating total state revenue.

● **Term limits:** In *Gralike v. Secretary of State*, the state asked the U.S. Supreme Court to uphold a Missouri law requiring a designation by a candidate's name indicating his or her position on a federal term limits amendment. The case was argued Nov. 6 and a decision is expected in 2001.

● **Education cases:** In *St. Louis Public Schools v. African American Rite of Passage*, the state defended Missouri's charter school law; in *St. Louis Board of Education v. State of Missouri*, Litigation attorneys succeeded in defending Missouri law that converted the St. Louis school board from 12 members to seven.

Health care foundation gets \$483 million to start up

Money from settlement
will help fund grants
to meet health needs

BY JUDITH VANDEWATER
Of the Post Dispatch

The board of Missouri's newest and largest health care foundation got a nearly half-billion dollar settlement from the state Thursday along with some broad brush instruction on how to create a health

settlement establishing the foundation allows it up to four years to begin distributing grants. The foundation's legal structure requires it to distribute a minimum of 5 percent of its assets annually provided that sum is generated by earnings on its investments and does not diminish its endowment. The foundation's creation ended six years of litigation between Blue Cross and state regulators. The resulting settlement dissolved Blue Cross as a nonprofit insurer and merged its business with its for-profit subsidiary, RightChoice Managed Care Inc. The foundation is endowed with \$483 million.

foundation divests its stock, its worth at least \$483 million. The first sale of shares to occur within six months. RightChoice can require that the initial sale occur within

Nixon sues big tobacco for violating state law

The Associated Press

Attorney General Jay Nixon is suing four out-of-state tobacco companies for failing to pay Missouri more than \$200,000 in surcharges required under state law.

Nixon filed lawsuits Tuesday seeking a total of \$230,000 from Native Tobacco Inc. in Salem, N.Y.; Canstar (USA) Inc. in Tobacco Center Inc., both of and Southern Tobacco Tampa, Fla.

The lawsuit is tied to a passed by lawmakers in sets a surcharge on cigarettes by companies not involvi national tobacco settlement Revenue from the would go into escrow ac used if the state succe that the companies are responsible for health cost to Missouri.

The amount paid i fund is based on how ul cigarettes the co the state.

After 25 years, money not taken by returned to the annual payments.

So far, five tobacco manufact escrow accounts

an attempt to keep non-settlement companies from gaining a competitive edge. Nixon said he believes the lawsuit filed Tuesday is the first of its kind in the nation and noted that more than 30 other states have laws requiring such payments. Under the national agreement, the national agreement, and pass the legisla-

Blue Cross and Blue Shield of KC properly classified as a public benefit corporation

BY DONNA WALTER
Assistant Editor

Blue Cross and Blue Shield of Kansas City is a public benefit corporation under the Missouri Nonprofit Corporations Act and cannot engage in actions that are inconsistent with its status.

On Tuesday, the Missouri Court of Appeals, Western District, affirmed the Cole County Circuit Court's declaration that the corporation's assets were held for the benefit of the public and upheld the injunction sought by Missouri Attorney General Jay Nixon to prevent Blue Cross and Blue Shield from actions inconsistent with the benefit of the public.

State can place limits on campaign contributions, Supreme Court rules

By Jennifer Lutz
Missouri Digital News
JEFFERSON CITY - The

inding waterfall of money Missouri political candidates were allowed to drink just ran dry.

Monday, the United States Supreme Court upheld a 1976 ruling which the government is d to place monetary lim how much any one per n contribute to a cam o prevent corruption o ception of corruption. Supreme Court heard

lion, while U.S. Congressman Jim Talent has raised close to \$3.3 million.

"We applaud the Court's decision because it is the will of Missouri voters," said Richard Martin, campaign manager of Holden for Governor.

In 1994, a referendum of 74 percent of Missouri voters supported imposing campaign limits, Nixon said.

The Supreme Court decision goes into effect immediately with \$1,075 the limit for a statewide office, \$25 for state

decessors of both Blue Cross and Blue Shield to determine that each corporation was formed with a public purpose in mind.

"From the foregoing, it is readily apparent that throughout its various incarnations, BCB's purpose of operating a prepaid health service benevolent and charitable capacity," wrote Judge Joseph M. Ellis. "It has more or less consistently declared that among its purposes and the community: (1) compilation of data of

Nixon wins in U.S. Supreme Court, continues battle for campaign limits

In the wake of the January 2000 victory in the high court upholding Missouri's limits on campaign contributions to individuals, Nixon continued the fight for reform by defending Missouri's law limiting party contributions to candidates.

The law is being challenged by the Missouri Republican Party, despite bipartisan legislative approval in 1994. Actions in 2000 included:

June 22: U.S. District Judge Catherine Perry upheld the Missouri law limiting party contributions given to a candidate.

Sept. 10: A divided three-judge panel of the 8th U.S. Circuit Court of Appeals ruled against enforcement of Missouri's law.

Sept. 11: Nixon announces that he will ask the U.S. Supreme Court to uphold Missouri law limiting donations by a political party to a candidate. Nixon filed with the U.S. Supreme Court in January 2001. At press time, the court had not indicated whether the case will be heard.

ABOUT THE DIVISION

Public Safety Division attorneys:

- Assist local prosecutors in serious or difficult trials and grand jury proceedings.
- Prosecute workers' compensation fraud or noncompliance cases.
- Represent Department of Public Safety, including the Highway Patrol.
- Train law enforcement officers and state troopers.
- Produce Front Line, a publication updating law enforcement on legal developments.
- Assist law enforcement with computer and high-tech crime cases.
- Help law enforcement prosecute and investigate meth cases.
- Prosecute Medicaid fraud and abuse or neglect of nursing home residents.
- Commit sexually violent predators who suffer from a mental abnormality making them more likely to engage in predatory acts of sexual violence.

Murderers sentenced to death, life without parole

Public Safety Division attorneys assisted in 318 special prosecutions in 89 counties during 2000 including these first-degree murder convictions:

- **Bobby Mayes**, a convicted sex offender, was sentenced to death for killing two Texas County women.
- A Macon County jury found **Gerald Elam** guilty of murder for stabbing his grandfather to death and burning the house in an attempt to conceal the crime. Elam was sentenced to life without parole.
- **Jesse Carter** was convicted of killing a mother and her two children in Maries County and was sentenced to life without parole.
- **Tolliver Simonton** was convicted of killing his 8-year-old son and sentenced to life without parole.
- **Robert Driscoll** was retried for the 1983 stabbing death of a Moberly prison guard. A Phelps County jury found him guilty of first-degree murder and sentenced him to death.
- **Alis Ben Johns**, already on death row for the 1996 murder of a Pulaski County man, pleaded guilty to a second murder and received life without parole. Johns shot a Stark City woman at her home while a fugitive for the Pulaski County murder.
- **Derrick Roper** was sentenced to life without parole for killing a Phelps County teen. The teen was a baby sitter who was incapacitated by Roper and left in a mobile home, which was then set on fire by Roper. The plot was arranged to cover up the death of a 12-year-old disabled boy who earlier died of malnutrition.
- An Iron County jury found **Charles Rutter** guilty of murder and sentenced him to life without parole. Rutter shot an acquaintance at point-blank range during a drug dispute.

Impaired driver sentenced to 10 years

Daniel Ligue was convicted of two counts of involuntary manslaughter and two counts of second-degree assault.

Ligue was high on marijuana when

he hit a vehicle, killing a minister, his son, and seriously injuring the minister's wife and another son on their way home from church in Lincoln County.



DIVISION MISSION

To be aggressive and fair prosecuting in the interest of justice; to assist and educate law enforcement and prosecutors in their role of protecting the public; to defend law enforcement from unwarranted interference and judgments in civil litigation and to be responsive to the needs of crime victims.



Rep. Craig Hosmer, sponsor of .08 legislation, joins Attorney General Nixon, seated, and representatives of MADD and

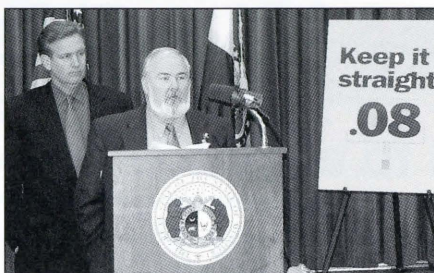
law enforcement at a rally at the state Capitol. They renewed their call for tougher DWI laws.

Nixon campaigns for 'Keep it Straight .08'

More than 200 Missouri police chiefs and sheriffs added their names to a growing list of law enforcement agencies supporting Attorney General Nixon's proposal for a "Straight .08" law. His proposal would change DWI laws to read .08 wherever the law says .10.

Nixon said attempts often are made to divide law enforcement, Mothers Against Drunk Driving and other supporters of the bill by proposing compromises and complicating issues.

"Research clearly demonstrates



Nixon, left, and Mike Boland, public policy liaison for MADD, announce legislation on Nov. 21 to toughen DWI laws.

that all drivers are impaired when their blood alcohol is above .08," Nixon said.

The legislative incentive to pass the changes will be heightened by new federal laws that will phase in a withholding of federal highway funds for states that do not have a BAC limit of .08, Nixon said.

The state Department of Transportation said Missouri will lose \$34.8 million annually by 2007 and an increased amount every year thereafter if the proposed law changes are not enacted.

By the end of February 2001, both legislative chambers had approved bills to lower the BAC to .08.

Sexually violent predators committed

The Sexually Violent Predator Law permits the state to commit a sexual predator if it is determined the predator has a mental abnormality that makes the person more likely than not to commit additional predatory acts of sexual violence. Attorneys used this law to commit five predators:

● **Andre Cokes**, sentenced to prison in Jackson County for forcible rape, was committed in December.

● **Desi Edwards**, convicted of rape in St. Louis, was committed in October.

● **Eddie Thomas**, convicted of forcible rape and sodomy in St. Louis, was committed in April.

● **Jamin Shafer**, sentenced to prison in McDonald County for rape, was committed in November.

● **Wilbur Schottel**, convicted of sodomy in Clay County, was committed in June.



Nixon calls for "Straight .08" legislation to toughen DWI laws

"Research clearly demonstrates that all drivers are impaired when their blood alcohol is above .08," Nixon said. "We have all seen enough unnecessary injury, death and heartbreak as a result of drunk driving."

In other news from Nixon's office, a Web site that marketed international driver's licenses as a way for drivers to get around suspended or revoked licenses was shut down Nov. 16, one day after Missouri Attorney General Nixon filed a lawsuit against its operators.

Nixon filed a lawsuit against the operators of Drivelegal.com, a California based Web site that sold the licenses from the Bahamas for \$350 and up. The Web site informed customers that the licenses could be

any state instead of a gov-
-issued license, regardless
person's driving record -
drunk driving offenses.

said his office had successfully asked the Internet server Drivelegal.com was operating the plug on the Web attorney General's lawsuit preliminary and permanent injunction to order the defendant to offer the services in order to place notices on the Web to inform consumers that the

Missouri attorney general calls for ban on sale of pseudoephedrine, the key meth-making ingredient

Attorney General Jay Nixon is asking for legislation that would ban the sale of pure pseudoephedrine, the key ingredient in the manufacturing of meth, throughout the state.

Nixon urged lawmakers to restrict the lead of Pettis and Morgan counties and substantially restrict the availability of this key meth-making ingredient. The two Missouri counties have banned the sale of pure pseudoephedrine products unless they contain other legitimate ingredients, such as Tylenol.

"Pseudoephedrine is the flour that makes the meth cake," Nixon said. "It is the one ingredient producers must have, no matter what

...ing they choose to use." General empha-

The Attorney General emphasized that the meth battle is not a static situation and stressed the importance of changing Missouri laws to prevent new loopholes from developing every time they change the

cases. Nixon also arranged agreements between 45 Missouri border counties and counties across the state line in eight different states. The agreements allow law enforcement to pursue meth dealers and producers across county and state

v. 21 to law
statewide,
made to
Mothers

Mike Boland, public policy liaison with MADD, announced his support for changes in legislation. "MADD wholeheartedly endorses this effort to present a united 'Keep it Straight .08' campaign to make these important changes."

Sexually violent predator stays in custody

St. Joseph News-Press

JEFFERSON CITY, Mo. — A DeKalb County man last week admitted he is a sexually violent predator. Wilbur C. Schottel, 68, Clarksdale, Mo., recently finished a five-year sentence on a sodomy conviction in Clay County. Under the violent sexual

the Missouri
Department of
Mental Health.

"We file after a recommendation from a medical team and a team of attorneys," said Scott Holmerson for the Attorney General's office. "In Mr. [redacted] case, that would be a recommendation from a medical team and a team of attorneys."

That person attends a hearing,
an evaluation and then a trial.
Mr. Schottel forestalled his trial
by his admission.

"There have been close to 40 individuals who are at various stages of this process," Mr. Holste said. "From where they're about to be ready to be released from prison and the AG's office is prepared to go to court, all the way to those who have been com-

Task force formed to advise Nixon on racial profiling

By BOB WATSON
News Tribune

Over the next few months, Missouri law enforcement agencies will make their first reports under a new state law designed to see if officers are stopping people just because of their race.

"Driving while black" is not a crime in Missouri," Attorney General Jay Nixon said Wednesday, after convening the first meeting of an 18-member advisory committee he's formed to help law officers follow the new law.

The law requires officers to report details of every traffic stop they make, with their

tion to the attorney general by March 1 each year.

The attorney general's office must analyze the information and issue a public report by June 1 each year.

"I want that report to show the truth, and we don't know what the truth is," Nixon said. "There's been a tremendous amount of anecdotal evidence from folks that they have been stopped by police, just because of their color. Hopefully, this will provide us a broad way to look at this problem."

Steven Goins, a former Lincoln University student who now attends the University of Missouri-Columbia Law School, told his fellow panel members what it's like to be a

young African American who gets stopped, apparently only because of his race.

He said his brother and some of their friends are stopped regularly by a police officer in north St. Louis County, who "has a reputation of harassing young blacks in the area — and all the young blacks know him."

He talked about officers showing no respect from the moment they approach a car they have stopped, and of friends being pulled from their cars at gun point.

"I left Central Missouri State, (Warrensburg) because I was mistreated by the University Police," Goins said later, in an interview. "The campus police used to harass young blacks on the campus, and they used to follow

us off the campus and break up our parties."

Jim Nunn, another African American, agrees there's a problem.

He told the committee he was the subject of a "bogus" stop just last year.

Nunn retired from Kansas City's Police Department as deputy chief in charge of the patrol bureau after 27 years on the force.

He agreed to serve on Nixon's committee "because I thought it was something that was really necessary, something that was, I think, sorely needed."

He said the new law will create paperwork hassles for law officers.

"But I see it as a necessity, because police
See PROFILING, page 5

Unit targets fraud, abuse

The Medicaid Fraud Control Unit prosecutes medical professionals who defraud Medicaid and those who abuse or neglect nursing home residents. In 2000, the unit obtained nearly \$3.5 million in restitution and penalties. Among the cases:

Speech pathologist to pay \$205,695, serve time

Medicaid fraud attorneys convicted Julie Roberts, a Marion County speech pathologist, of 23 counts of Medicaid fraud and felony stealing. She was sentenced to five years in prison.

Psychologist sued for false Medicaid claims

Nixon sued a Marshall psychologist for allegedly filing false Medicaid claims for therapy he did not provide. The suit asks the court to order the psychologist to pay at least \$24,000 in damages. The case is pending.

Certified nurse's aides convicted of abuse

● An aide at a New Madrid County nursing home pleaded guilty on three counts of felony abuse and sentenced to three concurrent five-year sentences and placed on five years' probation. The aide struck a resident in the head with his fist and grabbed another resident by the throat and slapped her.

● An aide at a West Plains nursing home was convicted of elderly abuse and sentenced to 60 days in jail and two years' probation. The aide knocked the glasses off a resident's face and grasped the resident's hand, tearing skin.



Attorney General Nixon, center, Strike Force Director Tim Anderson, right, and Public Safety Chief Counsel Ted Ardini hold a conference call with local prosecutors. They discussed successful prosecutions and meth-fighting challenges.

Meth Strike Force helps police eradicate meth labs

The Meth Prosecution Strike Force assisted in 184 meth-related cases in 41 counties in 2000, including:

Meth death ruled murder

Lois Williams was found guilty of second-degree murder by a Texas County jury for mixing a lethal dose of meth, then helping her boyfriend inject himself. The death was originally determined to be from natural causes.

After the defendant made statements to family and others, the victim's body was exhumed more than three years after his death and an

autopsy revealed lethal levels of meth.

Williams was sentenced to 20 years in prison.

Persistent meth offender to prison

William Bryant was convicted as a persistent drug offender for cooking meth with his son. Bryant was tried in Barton County and sentenced to 15 years.

CHAPTER 8 YEAR-END REVIEW

JANUARY

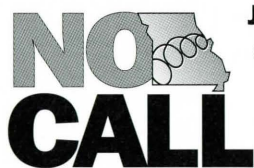
Jan. 3: A Cape Girardeau chemical company is ordered to comply with hazardous waste laws and pay \$47,000 in penalties and costs after it released a carcinogenic herbicide.

Jan. 5: The state receives \$255,000 from pharmaceutical company Genentech over its marketing of the growth hormone Protropin.

Jan. 5: Attorney General Nixon sues to stop Smithfield Foods from acquiring the Missouri hog production assets and facilities of Murphy Family Farms because the merger would violate a state law prohibiting corporate farming. A settlement is reached for Smithfield to divest all Missouri property acquired through its acquisition of Murphy.

Jan. 6: An invention promotion business is ordered to refund more than \$240,000 to consumers, pay the state \$39,138 and is forever barred from doing business in Missouri for misrepresenting to consumers the marketability, uniqueness and patentability of its inventions.

Jan. 6: Nixon, the Department of Insurance and Blue Cross Blue Shield of Missouri agree to an out-of-court settlement creating the \$400 million Missouri Foundation for Health, the state's largest health-care foundation.



Jan. 12: Nixon and legislative leaders call for a bill to end unwanted telemarketing calls and create a statewide No Call

list maintained by the Attorney General. The General Assembly passed a No Call law that was signed into law in the summer.

Jan. 13: The U.S. Supreme Court reinstates the right of citizens to sue polluters under the Clean Water Act when it rules in *Friends of the Earth v. Laidlaw Environmental Services*. Nixon led several states in filing a brief supporting citizens' right to sue.

Jan. 14: Nixon sends letters to some 10,000 Missourians, instructing them how to make refund claims to share \$1.2 million Nixon obtained from sweepstakes company Direct American Marketers.

Jan. 18: The Missouri Court of Appeals denies all motions to intervene in the state's \$6.7 billion settlement with tobacco companies.

Jan. 19: A state appeals court upholds the second-degree murder and armed criminal action convictions of Ulysses Ray Deckard. He murdered the manager of a pizza restaurant in Lebanon in 1996.

Jan. 21: A team of three experts appointed to oversee implementation of Premium Standard Farms' waste treatment plan endorses the concept of converting solid waste into pellet fertilizer, but rejects other insufficient proposals.

Jan. 21: A Lincoln County man is sentenced to 10 years in prison for killing a minister and his son and seriously injuring the minister's wife and other son in a high-speed wreck in 1997. The defendant was high on marijuana and driving without a license.

Jan. 21: Smithfield Foods is forced to divest all Missouri property acquired through its acquisition of Murphy Family Farms to avoid violating state corporate farming laws.

FEBRUARY

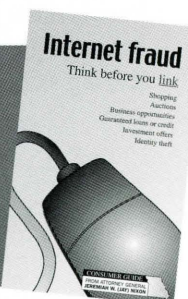
Feb. 1: Nixon sues a Marshall psychologist for allegedly filing more than 100 false Medicaid claims in two years for therapy and crisis-intervention services he did not provide.

Feb. 2: A man charged with securities fraud is arrested on charges filed by Nixon in Newton County. In August, the man pleads guilty to five counts of securities fraud and five counts of selling unregistered securities and is ordered to pay \$72,000 in restitution. He operated an investment scam involving a theft detection system.

Feb. 3: Miller County Sheriff Tom Russell is ordered to be removed from office, ending an ouster effort by Nixon over corruption at the county jail.

Feb. 3: MFA Oil pays the state \$38,000 to resolve allegations the company violated hazardous waste laws at its Columbia plant.

Think before you link:
The Consumer Protection Division produced a new publication to prevent Internet fraud.



Feb. 8: Nixon obtains a court order requiring Harris Cab of St. Louis to conduct regular, independent testing of its taximeters and pay \$5,000 in penalties and costs to the state to resolve allegations some customers were overcharged by inaccurate meters. On **Feb. 28**, Riverfront Cab of St. Louis is ordered to regularly test meters and pay \$6,425 to resolve allegations it overcharged customers with inaccurate meters. On **July 25**, Hugo's Taxicab Co. in St. Louis is ordered to pay \$12,000 in penalties, costs and restitution for overcharging through inaccurate meters.

Feb. 8: Nixon sues an Oklahoma company that fraudulently sold alarm systems with medical alerts to several elderly Missourians. The company falsely said seniors would receive government or tax rebates of more than 90 percent of the system cost. In **March**, criminal charges are filed against a company salesman. He pleads guilty and receives a seven-year prison sentence.

Feb. 8: Consumers will receive full refunds from a settlement with two travel companies that used Robin Leach as a spokesman and misled consumers into buying overpriced vacations.

Feb. 9: A Blue Springs man pleads guilty to five felony counts of stealing after defrauding several Kansas City-area residents of about \$225,000 in a scam involving the resale of high school letter jackets.

Feb. 9: Nixon sues Italian clothier Benetton for misleading Missouri prison officials about the true nature of a request to interview inmates on death row. The inmates are featured in a Benetton advertising campaign.

Feb. 15: Nixon warns of sweepstakes fraud and offers online shopping tips during National Consumer Protection Week.



Nixon continues fight for campaign finance reform

Jan. 24: The U.S. Supreme Court upholds Missouri campaign contribution limits. It says reasonable limits do not unfairly limit the speech of a donor or candidate. Attorney General Nixon argued the case before the U.S. Supreme Court in October 1999.

Jan. 25: Nixon asks the U.S. District Court in St. Louis to allow the state to resume enforcing limits placed on contributions by political parties to individual candidates.

Feb. 22: A ruling by the U.S. Supreme Court removing an appeals court decision further reinforces Missouri's efforts to enforce campaign contribution limits for individuals.

March 15: Nixon files an appeal to protect Missouri laws limiting donations a political party can give to a candidate.

March 24: Nixon asks the federal court to rule on political party contributions so state law can be enforced before elections in the fall.

June 22: U.S. District Judge Catherine Perry upholds the law limiting contributions to candidates by political parties.

Sept. 10: A divided three-judge panel of the 8th U.S. Circuit Court of Appeals rules against enforcement of the law limiting party contributions to a candidate.

Sept. 11: Nixon announces he will ask the U.S. Supreme Court to uphold the law limiting donations by a political party to a candidate. Nixon files with the Supreme Court in **January 2001**. At press time the court had not indicated whether the case will be heard.

Feb. 16: Nixon obtains a court order to prevent Tyson Foods from illegally discharging process wastewater into a creek near Dresden.

Feb. 22: A Canadian telemarketer who pretended to be a judge to scam Missourians into sending him money is sentenced to five years in prison.

Feb. 23: The Missouri Supreme Court sets a **March 22** execution date for James Henry Hampton for the 1992 murder of a Warrenton woman in a wooded area of Callaway County. He is executed.

MARCH

March 6: Nixon obtains \$603,000 for women's programs as part of a \$34 million, 50-state settlement with Nine West to resolve allegations of illegal price-fixing agreements with retailers.

March 10: A couple from Overland Park, Kan., is sued for deceptive home remodeling and consolidation loan practices.

March 14: Kraft Foods and Oscar Mayer Foods are sued for illegally disposing of thousand of tons of used hot dog casings on a Boone County farm.

March 14: A state appeals court finds that Internet business Beer Nuts violated consumer and liquor control laws when it sold and delivered beer directly to an underage Missourian.

March 21: Roto-Rooter Services is required to reinspect more than 300 installations and pay the state \$50,000 for using unlicensed workers.

March 23: Nixon sues to obtain the cleanup of three illegal tire dumps containing more than 50,000 tires near downtown Kansas City. A court order in August requires the tires to be removed.

March 24: The Marion County Circuit Court upholds the authority of the state Division of Labor Standards to enforce subpoenas issued to investigate prevailing wage cases.

March 27: The U.S. Department of the Interior rules that the state will retain veto power over any possible proposals for Indian gaming.

March 28: Nixon sues two Kansas City businesses that tried to scam consumers by mailing thousands of bogus phone bills designed to look like bills from Southwestern Bell. In August, the companies are ordered to pay \$11,000 to consumers and \$7,000 to the state.



Assistant Attorney General Kevin Hennessey plays bagpipes during National Crime Victims' Rights Week in April. State officials spoke in support of crime victims at the state Capitol.

APRIL

April 4: Nixon asks the Howell County Circuit Court to order the owners of an illegal waste tire dump site near Willow Springs to remove an estimated 80,000 tires.

April 5: A Missouri-led effort results in an agreement between 48 attorneys general and one of the nation's largest sweepstakes companies. United States Sales Corp. will dramatically change what it tells consumers and will pay more than \$30 million in consumer restitution.

April 6: A former Hannibal speech pathologist pleads guilty to 23 criminal counts of defrauding the state Medicaid program and agrees to pay \$205,695 to the state.

April 6: Nixon sues Murphy Farms requiring it to immediately drain and repair three hog waste lagoons that have polluted nearby streams and could collapse. A resolution is reached.

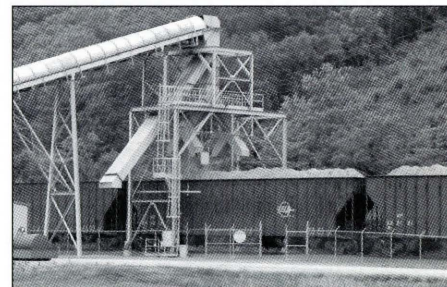
April 10: Nixon seeks an order to stop a nurse, charged with sexual

assault against a nursing home resident, from practicing while the state Board of Nursing seeks sanctions against his nursing license. The nurse later surrenders his license.

April 11: Joseph Matthews is arrested after being indicted by a Kansas City grand jury on nine counts of unlawful merchandising practices for allegedly taking payments of up to \$40,000 for real estate financing and never providing the funding or refunds.

April 12: Nixon appeals to uphold a state law requiring meat packers to pay the same price for the same-quality meat, regardless of the seller. The federal appeals court will hear the case in 2001.

April 17: Nixon urges the Missouri Clean Water Commission to adopt a two-year moratorium on chip mills in the state.



Railcars are loaded for export from a Mill Springs chip mill.

April 20: A Springfield man who illegally employed 43 children younger than 16 to sell candy door-to-door for his own profit is ordered to pay \$10,000.

April 27: Nixon and the Boone County prosecutor file securities fraud charges against two men who told investors they would use investments to trade diamonds for a profit.

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MAY

May 3: A judge orders Edward Williams removed from the ballot after discovering the Jefferson County sheriff candidate was a convicted felon.

May 5: Nixon obtains a court order to shut down a child porn Web site that falsely claimed that advertising and selling the images did not violate federal law.

May 9: A Florida telemarketer receives a five-year prison sentence for scamming an elderly Columbia man by convincing him to send money to claim a prize.

May 9: A St. Louis man involved in a telemarketing scam pleads guilty to nine criminal counts of unlawful merchandising practices and is sentenced to eight years in prison.

May 16: The U.S. Army Reserve honors Nixon for supporting the National Guard and Army Reserve.

May 19: Nixon and the Missouri Farm Bureau unveil a checklist of questions to help farmers entering into production contracts. On **Sept. 13**, Nixon announces model legislation to protect farmers signing such contracts. The legislation is introduced in the General Assembly in **January 2001**.

May 23: A Kansas City hazardous waste facility is ordered to pay a civil penalty of \$225,000 for improper handling, storage and transportation of hazardous waste.

May 24: The Missouri Supreme Court sets a **June 28** execution for Bert L. Hunter for murdering a Jefferson City woman and her son in their home in 1988. He is executed.

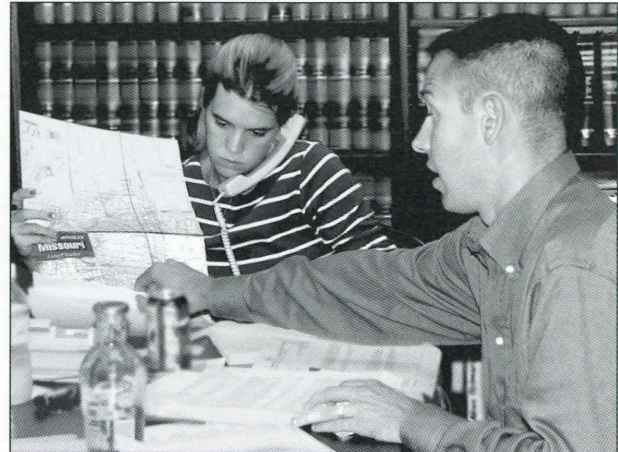
Operation Lam Scam 6 nets 143 arrests in St. Louis County

The AG's Office helped St. Louis County Police arrest 143 fugitives in a jointly run sting.

The AG's Office mailed about 3,000 letters from the fictitious "Missouri Department of Consumer Services" telling fugitives they were recipients of a settlement.

About 500 fugitives called to make an appointment to collect their money. The fugitives were arrested at a fake claims office in a St. Louis County strip mall.

The AG's Office has helped law enforcement capture more than 900 fugitives since 1994.



Above, hotline operators Lindsey Rehagen and Sean Wright give a fugitive directions to a fake state claims office. Left, Attorney General Nixon and St. Louis County Police Chief Ron Battelle announce on June 2 that 143 fugitives were arrested during Operation Lam Scam 6.

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May 25: Nixon sues retail chains 7-Eleven, Walgreen and Discount Smoke Shop to halt the illegal sale of tobacco products to minors violating state consumer protection laws.

May 30: A St. Louis grocery chain agrees to pay \$74,000 in costs and penalties to resolve allegations it advertised and sold inferior cuts of ground beef as more expensive cuts.

JUNE

June 6: A temporary restraining order is obtained to stop six Kansas City women from operating an illegal pyramid scheme known as the Women's Empowerment Network. More defendants are added in **September** and, on **Dec. 27**, the court orders restitution and penalties totaling \$198,000.

June 8: Nixon files a federal lawsuit to stop a Texas business from faxing unsolicited ads to Missouri homes and businesses as a violation of the federal Telephone Consumer Protection Act.

June 13: Four small tobacco companies are sued for failing to pay more than \$230,000 into escrow funds mandated by a 1999 state law.

June 16: Nixon sues the Kansas City Board of Police Commissioners, seeking to recover \$3.4 million in forfeiture money and property held by the board.

June 20: An appeals court agrees with the legal position of Nixon and declares that Blue Cross and Blue Shield of Kansas City is a public benefit corporation.

June 22: A Clarksdale man is placed in civil commitment with the Department of Mental Health for treatment as a sexually violent predator.

June 30: Nixon says the final draft report and recommendations issued by the Advisory Committee on Chip Mills do not address the environmental and economic threats posed to Missouri by chip mills.

JULY

July 18: The state Supreme Court sets an **Aug. 30** execution for Gary Lee Roll. He killed three members of the Scheper family in Cape Girardeau in 1992. He is executed.

Hog waste spilled from a lagoon in Audrain County.



July 20: Long-distance giant Worldcom is sued for deceptive and misleading advertising.



Hillary Melechen of Paraquad in St. Louis passes the Americans with Disabilities Act torch to Attorney General Nixon during a July 26 news conference.

July 26: Nixon and the state of Minnesota file an amicus brief with the U.S. Supreme Court to support enforcement of the Americans with Disabilities Act as it applies to state governments, which is being challenged by the University of Alabama.

AUGUST

Aug. 8: Nixon and 29 other attorneys general claim that several of the nation's largest distributors and retailers of pre-recorded music conspired to artificially inflate the price of compact discs.

Aug. 9: The Governor's Task Force on Gasoline Prices report excessive profit-taking by oil companies and their refineries but uncovers no illegal activity in Missouri.

Aug. 16: The state Supreme Court sets a **Sept. 13** execution for George Bernard "Baby" Harris for a March 1989 murder in Kansas City. He is executed.

Aug. 16: A Kansas-based home contractor is sued for shoddy work and unfair business practices in the Kansas City area.

Aug. 18: A Las Vegas man pleads guilty to 10 criminal counts for a telemarketing scam and is sentenced to 10 concurrent five-year prison sentences. He also must pay \$7,188 in restitution to seven elderly Missourians.

Aug. 22: Nixon sues the U.S. Fish & Wildlife Service for failing to designate and disclose critical habitat for two endangered species. The lawsuit challenges the feds' attempts to change flows in the Missouri River, to the detriment of Missouri farmers and river commerce.

Aug. 23: Emergency rules are filed to give law enforcement officials guidelines for implementing a new state law to prevent racial profiling. In **September**, Nixon names 15 community leaders and law enforcement representatives to a task force that will help implement the law.

Aug. 23: Two travel club distributors are sued in a nationwide crackdown on travel scams called "Operation Travel Unravel."

Aug. 24: Time Inc., which operates one of the country's largest direct-mail sweepstakes, agrees to substantially change its contest mailings and pay restitution to consumers.

Aug. 24: A St. Louis home remodeler pleads guilty and is sentenced to five years in prison for misrepresentations and shoddy work.

Aug. 28: A Springfield car dealership agrees to pay restitution to customers and \$5,000 to the state for misleading advertising and advertising credit terms not available.

Aug. 31: Toys R Us and three other major toy makers settle with the state for an alleged price-fixing scheme. Thousands of new books are sent to Missouri schools.

SEPTEMBER

Sept. 6: Nixon outlines Missouri's evidence that Big Tobacco's predatory marketing of highly addictive menthol cigarettes to African Americans resulted in higher addiction and death rates for blacks than for whites.

Sept. 14: Internet business More.com is sued for giving personal information about consumers to third parties after telling consumers it would not do so.

Sept. 18: A Smithville man pleads guilty to child pornography and harassment charges for producing and publishing child porn on the Internet and for using the Internet and phone to threaten Massachusetts schoolchildren. He is later sentenced to 15 years in prison.

Sept. 29: A Greene County man is sentenced to eight years in prison for operating a \$6 million environmental investment Ponzi scheme that paid early investors with money paid by later investors.

Attorney General Nixon swears in Bob Mandava as an assistant attorney general on Nov. 1. The new attorney works in the Labor Division.



The Missouri Gasoline Price Task Force met in July to gather information from the oil industry and public after a price hike at the gas pumps. Members are from left: John Saunders, Department of Agriculture director; Attorney General Nixon, task force leader; Joe Driskill, Department of Natural Resources director; and Jeff Staake, Department of Natural Resources deputy director.

OCTOBER

Oct. 5: The state Supreme Court sets a **Nov. 15** execution for James Chambers. He is executed.

Oct. 11: Nixon calls for state legislation to ban the sale of pure pseudoephedrine, the key ingredient in meth production.

Oct. 31: Nixon sues individuals connected to a Web site that purports to buy and sell election votes and does not tell consumers that the buying and selling of election votes is illegal under state law. The Web site is taken down.

NOVEMBER

Nov. 2: CIBA Vision settles with Missouri and 31 other states for an alleged price-fixing scheme. The contact lens maker will give cash rebates for future purchases of certain lenses.

Nov. 2: South St. Louis Roofing will pay more than \$32,000 in restitution and penalties for doing shoddy or incomplete installation and repair work.

Nov. 6: Litigation Chief Counsel Jim McAdams defends Missouri's law requiring a designation by a candidate's name indicating his or her position on term limits before the U.S. Supreme Court.

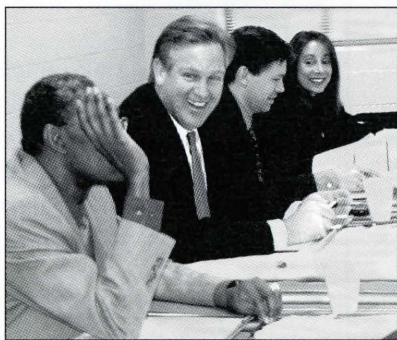
Nov. 13: A St. Louis couple whose towing business was the subject of more than 50 complaints about its rates and practices is ordered to pay \$35,000 in restitution and penalties and is banned from towing.

Nov. 15: Nixon presses for Aventis CropScience, the maker of "StarLink" genetically modified corn, to take action to protect the interests of farmers, grain elevators, consumers and others in responding to the revelation that StarLink corn has gotten into the grain chain and food supply.

Nov. 15: Two California men are sued over a Web site that promotes and sells international drivers licenses to drivers with revoked or suspended licenses. The site then is shut down.



RACIAL PROFILING COMMISSION: Retired police Col. Jim Nunn of Move Up in Kansas City discusses objectives during a Dec. 11 meeting. From left clockwise are Kansas City Police Chief Richard Easley, Eastern District ACLU Director Matt LeMieux, Assistant Attorney General Vanessa Ellis, and Nunn.



Commission members share a lighter moment. From left are Col. Jim Nunn, Attorney General Nixon, Assistant Attorney General James Klahr and defense attorney Elana Franco.

Commission helps implement racial profiling law

Attorney General Nixon established a Racial Profiling Commission to help the AG's Office implement a new law to stop racial profiling.

The 18-member commission includes representatives of law enforcement and community leaders from throughout Missouri.

Nov. 20: Nixon sues two St. Louis County women involved in a pyramid scheme, the "Original Dinner Party."

Nov. 21: Nixon announces a "Keep it Straight .08" campaign and urges law enforcement officials to support tougher state DWI laws by lowering the blood alcohol limit to .08. The legislation is introduced in **January 2001.**

Nov. 22: A state appeals court affirms the authority of the Missouri Clean Water Commission to regulate chip mills.

Nov. 29: Nixon announces the 15 directors of the Missouri Foundation for Health.

DECEMBER

Dec. 11: Missourians tired of telemarketing calls at home begin registering for the No Call list through the Attorney General's Web site and a toll-free hotline. More than 47,000 Missourians sign up during the first two days.

Dec. 12: The state Supreme Court rejects attempts to intervene and kill the state's \$6.7 billion settlement with Big Tobacco.

Dec. 22: A Florida telemarketer is restrained from luring customers with "free prizes" and then making unauthorized charges on consumers' debit or credit cards.



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